

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

**Walter Raglin,
Petitioner,**

-V-

**Case No. C-1-00-767
Judge Rice
Magistrate-Judge Merz**

**Betty Mitchell, Warden,
Respondent.**

**PETITIONER'S MOTION FOR EXTENSION OF TIME
TO FILE OBJECTIONS TO MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION**

Petitioner, by and through counsel, and moves the Court for an extension of time to April 10, 2006, within which to file his objections to the Report and Recommendations filed by the Magistrate Judge on February 2, 2006 (Doc. 89) for the reasons set forth below.

s/James D. Owen

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Trial Attorney for Petitioner

MEMORANDUM IN SUPPORT

Petitioner's counsel spoke with Assistant Attorney General Charles L. Wille on February 21, 2006 and he has no objection to a reasonable period for an extension in which to file objections to February 2, 2006 report and recommendation.

The Objections to the Report and Recommendation are due on February 21, 2006. Counsel for Petitioner has been diligently working on the objections to the report recommendation. However, the press of other cases has limited counsel's ability to focus on preparing the objections. Specifically, Attorney Owen completed and filed an appellate brief in the case of State v. Carr on February 13, 2006. Owen has a complex jury trial commencing on March 6, 2006, in the case of Howard v. State of Ohio involving more than 50 witnesses and may last more than 7 days. In addition, Attorney Owen is preparing for an aggravated murder trial scheduled to commence on April 3, 2006 in the case State v. Martin.

As sole counsel in the instant case, Owen has no one to assist him in preparing the objections.

At this point, Petitioner's counsel envisions no more requests for an extension of time. Accordingly, Petitioner respectfully requests an extension to April 7, 2006, inclusive, within which to prepare his objections to the Magistrate's Report and Recommendations.

Respectfully submitted,

s/James D. Owen

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Trial Attorney for Petitioner

CERTIFICATION

I hereby certify that I have, this 21st day of February, 2006, served electronically through the Court's ECF System a copy of the foregoing pleading to the following attorneys of record:

Henry G. Appel

Carol Ann Ellenson
Charles L. Wille
ASSISTANT ATTORNEY GENERAL
Capital Crimes Section– 23rd Floor
30 East Broad Street
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/s/ James D. Owen

James D. Owen